App F. IX-4

Previous References

193

File No. 174-30

Serial Nos. 1 – 9

Later References

General and Revenue Secretariat.

Serial Nos.

Part B for

SUBJECT.

Appeal No 12 of 30-31.
Management of the Doddaballapur, Nelamangala & Bangalore Cs

No. 25898 4.6.31
Communicates order in to
the Mysore Commr for Retrenchment

General and Revenue Secretariat — Mis 3 — File No. 174 — of 1930.

Serial No.	
	Appeal petition dt 30.10.30 from N. Basettappa Inamdar residing at Inamdarkoppa Bangalore city appealing against the orders of the Muzrai Commissioner in No 330 of 27-28 on the file of his office. Time to the first Member of Council or Files. (2) Presented by Mr C. Seshachar — Stay Execution of the M.C order pending decision of this petition. Copy to Advocate of appellant (3) Notice on P. R. D. Date fixed Issued 3/11/30.
2	No 1009 dt 1/11/30 to the Muzrai Commissioner requesting him to execution of his order of resumption pending decision. (1) D/F calling for records is dated. Also a D/F calling for extract from Inam Register & copy of Sanad given in respect of Dodda Mutt in Akkipet Bl. city

Issue
4.11.30

NOTE—Contn Sheet. 3

Muzz File No. 174

General and Secreta

Commissioner Calling for report together with records connected with petition in Sl.

No 1040 of 6/11/30 to the Superintendent Revenue Survey & Settlement & Calling for an abstract from the Loan Register showing loans endorsed to Vadamalai Alkhiyar. Acknowledged.

Letter No 63 of 4.12.1930 from the Superintendent Revenue Survey and Settlement regarding information about the village in which the lands endowed to the Mutt are situated.

Information required by the Superintendent Revenue Survey & Settlement will be furnished on receipt of records called for from the M.C. for perusal.

12/12

15.12.30

GEN. & REV. SECT. 8 NOV 1930 MUZRAI.

Sms 15-12-3

Letter No 724/30-31 of 2-1-31 from the Muzrai Commissioner forwarding the file & records connected with the appeal petition of Mrs Basavarajappa

After a detailed and exhaustive enquiry the local officers have reported that the Mutt in Alkhiyar is not a Muzrai Institution. The M.C. has in his order

Serial No.

7. Sept. 1930 indicated that the Alkibar Mutt has for Inam lands at Kottakkarai. This will be omitted from making a Rept to the Supdt Rev Survey & Settlement for orders

Qs 30/1 (3) Dept Sub to records
27/1

H. Secy) (4) 28.1.31

(5)

(6) Issue
28.1.31

7 Letter no 1702 of 29.1.31 to the Superintendent Revenue Survey and Settlements Calling for an extract from the Inam Regr &c referred to therein.

Exhibit No. 36. (Flag a).

17) As regards para 15 of the appellant refers to a Sanad Conferring the Inam upon the Thotadarkal of Arale permit. The routine note in the file may kindly be referred to Vernacular for sending the Sanad in original if available

Qs 30/1 18) (Routine note for Rr note (5))
PSR
30-1-31.

D Secy 30/1/31

File No. of 193 General and E Secretar

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

for Dy no 757

ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಪತ್ರವ್ಯವಹಾರಗಳನ್ನು
ಫೈಲ್ ಮಾಡಿರಿ.

no 92 of 31.1.1921

4) Canarese Records to kindly furnish the Sannad issued from the Highness on 11.3.1822 ~~for~~ relating to the grant of an Inam land in favour of one Mr. Thotadappa of Avalepet Woodmill, with Complaint
30/1

21) Copy of the Sannad issued on 11th March 1822 by the Highness is found up and request to return the same safely after it is done with

C.W.O. 1.2.31 Please prepare a copy of original copy for transmission to the Govt

4/1/31 23) Copy of the Sannad is herewith found up for submitting to Govt thro' [illegible]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on, this form

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

శ్రీ.

మీరు కోరిన కోటప్పి సవరిగి భూమి
కొలత మూల్యవాగా సర్వేయించి

కృష్ణరాజు పగుయు శరవీర్రు-

విషయం ఏంటంటే మీరు అడిగిన ఒ.శ సీమా మువారదల్లు వ్రాయుటకు॥

చింగళూరు పల్లు జుంబారి వెంకటరాజు అను సవరిగి చెరళి కొళుకుంది నిరూపి అదాగి అరళిచ్చాటి దొరుడు మీరిద కోలుదప్పి సవరిగి కంటి రాయిని భూరం పెదిం పరిదాది భూమిం అను గుమనామాగి సర్వేశించుండు చరిత్ర బగ్గి అప్పుణి కించాడ్డి లయిద్ది సీరి కోలుదప్పి సవరిగి పీరు చింగళూరిల్లు కంటిలి రాయిం పెదిం పరిదాది భూమిగి పరి గుమాగి సాగవీళ్ళ లాయం ఐ ముషిరి భూమిం అను కృష్ణరాజు మిండి బిజుపరి రాయిం దె మ్యారిగి పొంది మీరాంప్ప మాడ్డి లయిం భూమిగి అంగమద్రి కొల్లు సేడిశి లయిం పరి జుంపే మాడి చిత్ర భూనం కంపన్నాదా రచ్చ ప్రశ పత్రుడిల్లు కాజూ కొనేదు లు జూరు మాడిగి లయిం గుమనామాగి సర్వేశి కొండు బరుపదు కాదరి భూమి పొంది మీరాంప్ప మాడ్డిద పట్టి బర్రి శ్రీ జుం మోరు ర్స్ దిప్పర బాబులి లయిందా కుజూర్రి సేర్లు ప్పి పొడుప్పదు లయిం కొనేద సేంలు సీరకారద దిప్పశ్శి బర్రి లాభలు కొనేదు అవశవశ్శి వాప్పు పొడుప్పదు బుకార్రి ఐ లంటి సే మాడి మాజర్ సింగ్ గుర్రి సే లయిన్ ఐ అశ్శథ్రి గుమనాశ్వేం అను మునుషి కొజూరు ఖ్యా టసాశక్తు సల్లు

గుమాలి లయిం గుమనా కంటి రాయిం పెదిం పరిదాది భూమిం లయిం అను గుమనాగి సర్వేశి కొండు బరుపదు శ్రీ జు-

Misc File No. 174 of 193 2

Serial No.

Letter No 93 Dy 23. 3. 1931 -from-
the Superintendent Revenue Survey
and Settlements furnishing
information called for.

It says that there is
no entry in the Inam records
about the grant of Inam land
to Woodmill at Akkipet. Bangalore
Dist. Extracts from the register of
Kethumanahalli received with the
letter show that two mills viz, Desada
mill and Woodmill at Arakalpet
Bangalore are given Inam land
at Kethumanahalli. Kind
reference is invited to pages 180,
181 and 182 onwards of the Printed
register of Minor Institutions
having Inam lands in the Dist. The
mill in dispute does not appear
among the Minor Institutions

2. The facts of the case are
completely set forth in the Enquiry
report submitted by the Asstt Dist
on 15/1/27 & upheld by the S.D.O. & the
D.C. in appeal. Woodmill at
Akkipet is stated in Survey Inam
records to be not a Minor Institution.
Vide also the report dated 12. 8. 24 of the

NOTE—Contn Sheet.

WD 02563—G P B—50,000—8 7 30

Amildar Bangalore Tk. The Amildar has reported that he has inspected the Akkipet Dodmille and the Aralepet Dod The existence of the two mills of the same as also in the Exhibits D (both viz Akkipet & Aralepet in Dr Herewith is clearly borne out by the vide copy of Mr. Mc's Samad 27 from Revenue Records - Land at Kethana was granted to Tholadas of Aralepet Dodmille who in 1849 The same to Channaveeradevaru Akkipet. Vide Exhibit Hag - 7. In 1857 Channaveeradevaru willed The Akkipet mill, including its assets his wife to Basalinga Naideveru the of the appellant - Prior to this it is when the Inam settlement was effd The Inam land of Kethanahalli was given back to Dodmille at Aralepet. The Statement bears the sign of Channaveeradevaru. Vide exhibits Nos 30 & 31. of documents executed in 1878 & 1 respectively pointing out the Cost of Dodmille in Tholadas's Aralepet.

Also Kind regard is invited to the Statement given by Kadal Hag L.

The existence of private mills owing to Inam grants such as Nanagunda devaru mill & Shankaradevaru mill Chikkaballa

x 17.

E x I

Mus3 File No. 174 of 1930.

Serial No.

are not in the list of Muzy - Institutions is indicated.

30 The records in the case have been carefully gone through & no data are found to say that Wodmill at Akkipet is a Muzrai one - It is also respectfully submitted that Channaveeradevaru wife sons the devadasy a land pattadar belonging to Akkipet Wodmill in favour of the appellants appears to be an irregularity & the question of resuming the said land next arises -

31) For orders if the case may be posted for a hearing -

A1

4/4. H. Seey) 4.4.31

1st member) 13 4 31

31) A. Myles Mus. (2 4. 31

31) W. S.

(5)

OFFICE OF THE FIRST ML ... CH
15 APR 1931
No. 1064

Serial No.

36 This case was heard on 16th May 1931.

The Appellant was represented by Messrs B. Subbanna and C. Seshachar and the Respondents by Mr. N.V.Narasimhaiengar.

ORDER.

37 The main point for decision in this case is which was the Mutt to which the Devadaya grant of Survey No. 123 in the Ketamarananahalli village was made. The Nirup of 1822 states that the grant was to Thotadappa of Dodda Arlepetta Mutt. The "description of the Inam" and the "name of the original grantee" as given in the Register of Inams are as under:-

Column 8.- For the support of Dodda Mutt in Arlepette of Bangalore.

12.- Thotadappa of Dodda Mutt.

Chennaveeradevaru furnished the particulars for purposes of Inam Settlement in 1875. In column 1 of the statement submitted by him, the grantee of the Inam is noted as Arleptte Mutt Thotadappa. In column 6 Chennaveeradevaru described himself as Yejamanakartha of the Mutt. In column 10 of the statement Chennaveeradevaru promised to hold the Inam for the support of the Arlepetta Dodda Lutta and its sishya and ~~that he would~~ to see that the objects of the grant were fulfilled. The records relating to this Devadaya Inam do not, therefore, establish the contention that the endowment was for the Akki

NOTE—Contn Sheet

pette

WD 02553--50,000—GPB—8 7 0

Akkipette Dodda Mutta. The view that the Akkipette Dodda Mutta was known as the Arlepetta Dodda Mutta at the time of the original grant and of the Inam Settlement but that its name changed at some subsequent date cannot be accepted as it is not supported by proper evidence.

In view of the facts mentioned above, the Inam land in question was clearly a grant to an institution other than the Akkipetta Dodda Mutta and its enjoyment or management by the authorities of the latter Mutta is unauthorised. The Inam land will therefore be resumed from the Akkipetta Dodda Mutta and treated as a case to be dealt with under G.O.No. 1769-72 Mug.49-8-2 dated 18th March 22

Whether any other Mutta is entitled to this land and whether the Akkipetta Mutta which is not a Muzrai institution in the circumstances stated above, is properly managed, or if it is not what action it calls for, are separate matters for independent consideration on their own merits.

The Muzrai Commissioner's order dated 8th September 1930 is therefore set aside and the appeal allowed.

Mahazar

2 [illegible]

31/5

Issue

4.6.31

D/h Secy for orders —

28.5.31

3/6/31

General and Revenue Secretariat

File No. of 193

Serial No.	
	No 2589 dy 4 6.1931 to the Muzrai Commissioner forwarding information as necessary calling copy of moves in muz affairs 1930-31
	Memo no 2589 dy 4 6.1931 forwarding B. Nirmala as above

NOTE—Contn Sheet

File No. of 193

OF THE
MEMBER OF COUNCIL
30 OCT. 1930
No. 4352

Muz 174-30-1

TWO RU

623 GENL. 1 NOV 174-30 1

Presented by Lt Sethuraman
Stay execution of this order pending decision of the Appeal -
Copy C. C.
advocate for 30/10
Urgent
1/11
Off Faith
from Issue.
1/11/30

BEFORE THE GOVERNMENT OF MYSORE, BANGALORE.

Muzrai Appeal No. 12 of 30-31.

(Under Section 38 (2) of Regulation VII of 27.)

APPELLANT:--	--(V s.)--	RESPONDENTS:-
N. Basettappa, Mandi Merchant, residing - at Manavarthepet, - Bangalore City. (OPPONENT AND RES- PONDENT IN T H E COURTS BELOW.)		1. Desada Sidda Basa- setty, residing at Kuber Sahuji Lane, Chickpet, Bangalore City. 2. Basavalinga Setty, Arlepet, Bangalore City, a n d others. (PETITIONERS AND APPEL- LANTS IN THE LOWER - COURTS.)

****

The Appellant abovenamed most respectfully begs to appeal on the following G R O U N D S against the Order in Muz.Appeal No.33 of 1927-28 on the file of the Muzrai Commissioner, which was passed in the following circumstances:--

BRIEF STATEMENT OF THE CASE:--

In Akkipet, called also Manavarthepet, in Bangalore City, there is Dodda Mutt. This was and has been a private institution. In

Arlepet

Arlepet, a distinct and separate party of - Bangalore City, there is another Mutt called also Dodda Mutt ALIAS Thotada Devara Mutt. The owner of the latter Mutt was one Thotadappa who gave this Matha and a piece of land at Ketamarnahalli which he had got as Inam from His Highness Sri Krishna Raja Wodeyar, (Vide Exhibit D.36), to CHANNAVEERA DEVARU - of Manavarthepet Dodda Mutt, under the Gift Deed (Vide Exhibit D.34). Channaveera Devaru bequeathed his own Matha and the piece of land which he got by Gift, to Appellant's brother under Exhibit D.37 in 1877, and later on, executed the Settlement Deed (Ex. D.41) in Appellant's favour, and the latter has been in possession and enjoyment of these - properties from 1877. On the complaint of the Respondents regarding the Akkipet Matha, the Amildar of Bangalore held an elaborate enquiry and arrived at the conclusion that the Ketamarnahalli land was given only to Thotadappa of "ARLEPET DOD MUTT" and not to the Akkipet Matha, and consequently, there being no other Inam to the latter, it was not a Muzrai Institution to warrant any interference by the Government. This conclusion was supported by the Sub-Division Officer, and the Deputy Commissioner passed an order refusing to interfere; but the learned Muzrai Commissioner was pleased to upset this Order, holding that the Kethamarnahalli land was given as Inam to the

the

the Matha in dispute and, furthermore, in direct contravention of Chapter IV and Secs. 8 and 10 and other Provisions of Regulation VII of 1927 (and also of the old Muzrai Regulation), the learned Muzrai Commissioner h a s been pleased to "direct that the same (i.e., Akkipet Matha) be resumed under the Muzrai Regulation."

CASE NOT ARGUED BEFORE THE MUZRAI COMMR:-

When the case came up before the learned Muzrai Commissioner for Arguments after a brief discussion as to the nature of the disputes, there were attempts to arrive at - an amicable settlement which, however, failed after a considerable length of time taken over the discussions; but, very unfortunately for the Appellant, the learned Muzrai Commissioner did not fix any further time for Arguments and, as the case bristles with points of Law a n d facts and the records are very voluminous, the Appellant believes that the result might have been different if the case had been argued thoroughly. When the Appellant was expecting that a date would be given for further Arguments, all of a sudden, he got intimation that the c a s e had been decided against him. For this reason, the Appellant thinks it necessary to draw up this Appeal Memorandum somewhat in detail, AND THE APPELLANT, THEREFORE, MOST RESPECTFULLY BEGS TO APPEAL AGAINST THAT ORDER ON THE FOLLOWING

G R O U N D S:--

GROUNDS OF APPEAL ON FACTS:--

1. The learned Muzrai Commissioner erred in totally ignoring the two most important Documents above referred to, viz., the NIROOP by His Highness Sri Krishna Rajendra Wodeyar, Exhibit D.36, of the year 1822, reciting the grant of the Inam to Thotadappa of ARLEPET MATHA and Exhibit D.34, the GIFT DEED by this person to CHANNAVEERA DEVARU in 1849. Both these Documents clearly show that Thotadappa's Matha was quite different from Channaveera Devaru's and the land was not granted to the latter at all. There can be no doubt about the genuineness of these Documents.

2. The learned Muzrai Commissioner - erred in not noticing the unassailable evidence even on Respondents' side: that Thotadappa's matha was in the lane in Arlepet opposite to the present Post Office where he - lived and he had no connection with the Matha in dispute and the Inam granted to Thotadappa can, by no means, be said to be granted to the latter Matha.

3. The learned Muzrai Commissioner further erred in basing almost the whole of - his order on the ground that the Matha, referred to in the Inam Register (Exhibit P.4) as - ARLEPET MATHA, must be the one in dispute as the

latter had its door originally into Subramanya Galli ~~which~~ and also Manavarthepet - (which is referred to in many documents as the place where the disputed Matha is situated), which are or were portions of Arlepet and that Channaveeradevaru has admitted in that Document (Ex. P.4) that the Inam belongs to Arlepet Matha. Every step in - this reasoning is opposed to facts proved in the case, and is based mainly on some irrelevant hearsay evidence and Channaveera Devaru's Statements in Ex.P.4,and the references therein to Thotadappa and the Niroop of 1822 clearly show that Channaveera Devaru was referring to a Matha to which he had to appoint Shishyas and take care of them rather than - to his own Matha. Subramanya Galli, which - opens at one end into Arlepet and at the other end into Akkipet, cannot be said to belong to Arlepet exclusively, nor for the reason that the Inam land is held in possession by transfer.

4. The learned Muzrai Commissioner erred in not noticing that, granting that the Matha in dispute was called Arlepet Matha, -- there being thus two Mathas,both in Aralapet, (for the matter of that, there are many more) one in which Thotadappa lived and the disputed one--a great deal more proof was necessary than what is on record to conclude that the Matha

referred

referred to in Ex. P.4 is the disputed one and no other,and the references in it to - Thotadappa and the grant to him rendered it more probable that the Matha spoken of there is Thotadappa's and no other.

5. The learned Muzrai Commissioner's interpretation of Channaveera Devaru's Will and its Schedule (Exhibits Nos. D.37 and 37-1) as proving that the Inam was given to his own Matha, is in error as the Will only purports to confer on the Legatee such as he (Channaveera Devaru) had over the land under Thotadappa's Gift Deed, Exhibit D.34, and the question whether Channaveera Devaru had or had - not the right to give away the land by Will is not in any way for decision now; and the - learned Muzrai Commissioner's remarks about - the non-mention of Thotadappa's Matha, are wholly beside the point as Channaveera Devaru did not apparently wish to make any transfer - of that Matha by his Will. If the alienation of the Inam by this Will were wrong, the Inam should have been resumed and not Channaveera - Devaru's Matha, if all other provisions of Law warranted such a course.

6. The learned Muzrai Commissioner's inferences from the fact that the building in dispute is called a Matha are in error as what the Appellant has been all along contending for is that it is a private institution meant for

for private Worship of a family Deity, and certain private Feeding Functions, etc., such as may be conducted in any gentleman's house, and not a public institution at all, and that neither the public nor the Government have any authority over it.

7. The learned Muzrai Commissioner erred in not taking into consideration the large mass of evidence, both oral and documentary, on the Appellant's side to prove that the Matha in dispute was always known to be in Akkipet or Manavarthepet (only another name for Akkipet), and never as being in Arlepet, and that, as there were houses owned by others all along on the northern side of it, it could not have at any time had any door into Subramanya Galli and this Galli itself, or at least the portion opening into Akkipet, was not generally known as belonging to Arlepet--facts which are useful to hold that the references to Aralapet Matha in Exhibit P.4, cannot mean the disputed Matha.

8. The learned Muzrai Commissioner has failed to take into consideration the evidence that the Matha in dispute has, for a very long time, been treated and dealt with as Private - property to the knowledge of all the important people of the Community, some of whom have attested the Documents (Vide Exhibit 37 which is attested by Yejaman Basappa, a witness on the opposite

for opposite side); and large sums of private money belonging to the Appellant and his predecessors were invested upon its improvements on the bona fide belief that it is private property; and no member of the public is shown to have contributed a single pie for these expenses and that portions of the Matha were brought to sale by Civil Court and purchased and repurchased, and it is fully assessed by the Municipality; and the Respondents stood by, without raising any objection when all these acts were done.

9. The learned Muzrai Commissioner should have noticed that Thotadappa's Matha was dealt with differently as various Exhibits in the case show.

GROUNDS OF LAW:-

10. The learned Muzrai Commissioner had, in no circumstances, any jurisdiction to pass the order directing the resumption of the Matha itself. There is no provision of Law to enable him to pass such an Order even if this Matha were a Muzrai Institution.

11. The learned Muzrai Commissioner has not directed his attention to a consideration of the question whether there has been any mismanagement on the part of the Appellant to warrant the adoption of any extraordinary measures and, in fact, all the evidence that

that has any bearing on that question shows that, far from using any Matha funds for his own private expenses, the Appellant has invested large sums of his own and even borrowed capital on its improvement, and there is no such mismanagement--much less "gross" mismanagement. In fact, till now, the proceedings were considered to be of a preliminary nature to decide whether the Muzrai - Officers can interfere or not; and the Appellant can show most satisfactorily that he has been conducting the affairs of the - Matha much better than they were ever conducted, though they are all of a private character; and the mere fact that he contends - that the Matha is not a public Institution can by no means enable the Government to interfere.

12. The powers conferred on Muzrai - ~~Commissioner~~ Officers by Sections 9, 10, 19 and 30, refer only to the Resumption of Inam lands granted to ~~a~~ Muzrai Institutions which are unlawfully alienated and not to the Institutions themselves--all authority regarding them being vested in the Government alone--and there are no other provisions applicable to the Matha under consideration.

13. The grant of the paltry Inam to - this private Institution--assuming such a grant--cannot alter its nature and make it a public one and

and enable any Officer or the Government itself to deprive the owners of the Institution of their rights exercised for Centuries. If the Government has good reason, it may resume the Inam itself.

14. There is no presumption, as the learned Muzrai Commissioner holds, that all Institutions called Mutts must be of a public nature unless a Dedication to the public is proved or admitted according to the circumstances of each case; and in this particular case, there is no attempt made to prove any such Dedication to the public.

15. Notwithstanding anything that may appear in later records, the Sannad, Exhibit P.36, clearly confers a personal grant of the Inam in question upon Thotadappa and not to any Matha as such. This, however, is a matter for more consideration only when there is a proposal or attempt to resume the Inam but, in the view taken by the learned Muzrai Commissioner, may have to be stated now.

16. The long possession of the Matha in dispute on the express and avowed right as private owners adversely to all other interests, extinguishes all inferences from solitary and unconnected facts, by the operation of the Law

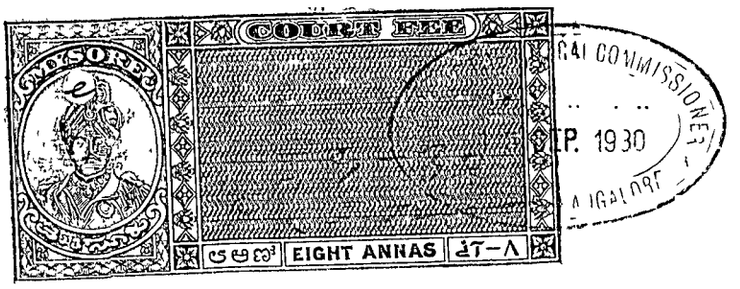
of Limitation, and the Order appealed from is against Law, Weight of Evidence and Probabilities of the Case.

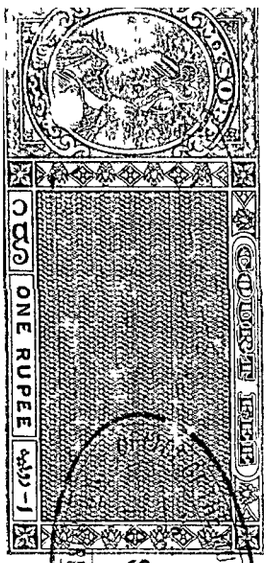
THE APPELLANT RESPECTFULLY PRAYS, THEREFORE, THAT the orders appealed from may be set aside, AND TO DIRECT THAT, pending the disposal of this Appeal, the Execution of the Order may be S T A Y E D.

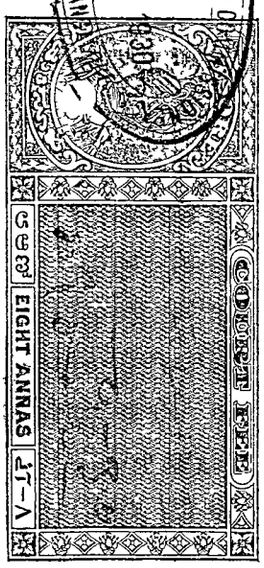
THE APPELLANT FURTHER BEGS LEAVE to attach a Sketch of the locality of the Dodda Mutt in dispute and of the Dodda Mutt alias Thotada Devara Mutt situate in a lane opposite the present Post Office in Arlepet. x D

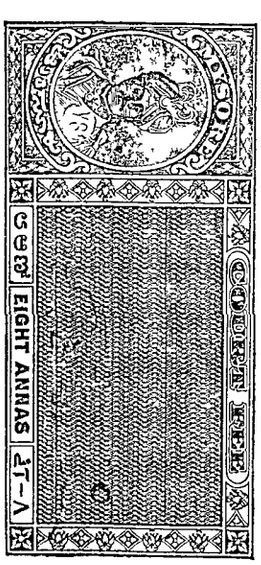
BANGALORE,
Dated, 30 -10-1930.

APPELLANT.









In the Court of the Munsif Commissioner in Mysore

Dated Bangalore 9th Sept 30

Munsif Appeal 33 of 1927-28

Subject:-

Management of the Dodda Matha at Akkipet, Bangalore City.

Appellants (1) Sidda Basappa Setty

(2) Basavalingasetty + others, Bangalore City

Opponent Basettappa residing in Akkipet, Bangalore City.

Facts of the case

The appellants have preferred an appeal against the order of the Deputy Commissioner, Bangalore District, declining to interfere in the management of the Dodda Matha in Akkipet, Bangalore City

The appellants contend that the Matha known as Dodda Matha in Akkipet, is a religious institution belonging to the Sivachar Community, that it is a Munsif institution in the enjoyment of devadaya ma...

lands Ketamanahalli village
the Bangalore Taluk that the opponent
Basettappa is in possession of the Matha
and its properties, the income from
which is being utilized by him for his
own purposes and they request that
the institution may be taken over under
Government management and a
scheme for its management framed.
They further submit that they were
not heard by the Deputy Commissioner
and do not know the grounds on which
the Amildar came to the conclusion
that the Matha was not a Muzrai
institution that according to the
Samad produced by the opponent
himself the lands and the Matha were
in the possession of Chennaveeraswami
a swami of the Matha, according to
his own statement at the time of the
Inam Settlement the lands were treated
as Devadaya in the enjoyment of Channa
Veeraswami as ambhavadar. On
receipt of the connected records from
the Deputy Commissioner the case was
posted for hearing on 15th September
1928 when the Respondent undertook
to submit a scheme for a permanent
settlement of the claims.

On 22nd August 1929 the case

was taken up and the parties were heard The Respondent submitted a scheme of management and this was sent to the Deputy Commissioner for opinion whether the scheme may be adopted and if not with what modifications.

In reply the Deputy Commissioner reported that from the statement given before the Amildar, it was clear that the Respondent did not like the idea of opening the properties set apart as an endowment for the maintenance of the Matha in perpetuity or to entrust the management of either the Matha or the properties to Government, that his second son should alone manage the affairs and that he was not willing to submit a scale of income and expenditure for adoption in the institution.

Order No. Appl: 33 of 27-28 D/S 9-30.

The whole case hinges upon whether the inam land of Kelamanana halli was granted for the maintenance of this Matha as contended by the petitioners or of another matt in Amlepete known as Dodda Matha which was presided over by one Totadappadavaru and both the Matt and the land were gifted to Channaveeraswamy

of the 21/2 Katt in dispute for being
after. The evidence adduced on behalf
of the petitioners was to the effect that
the Katt in question which is now stated
to be in Kkkipet was formerly considered
to be in Kalepet as it opened to the
Galli known as Subramanyana Galli
which was a part of Kalepet and that
this was the only Katt known as "Dod
Katt in Kalepet" for which the inam
land in Kyathamannahalli was granted.
Some of the authenticated records, viz
the Bangalore City Municipal Office
notice dated 11th October 97, the certi-
fied copy of the document executed
by Mr. B.V. Lakshmanarao in taking house
building advance from Government
and other documents produced on
behalf of the petitioner appellants go
to show that both Kanavarthapet and
Subramanya Galli formed part of
Kalepet and there is evidence, which
has not been made out to be in any
way tainted, that the Katt now in
dispute opened towards Subramanyana
Galli about 40 years ago. These two
facts, together with the fact that the
inam land of Kyatamannahalli
was in the enjoyment of Channa-
Veeradevaru and after him is now

in the enjoyment of Basettappa who has not shown that he is enjoying it on behalf of any other Matt and has maintained no separate accounts for the same, are sufficient to justify the conclusion that the inam land was confirmed during the Inam Settlement for the benefit of the Matt under dispute and not any other matt. When matt property is claimed by private parties the onus that their possession is legitimate is strongly on them and such claims should not be admitted in the absence of direct proof merely relying on comparison of facts in regard to ancient institutions and their belongings. Now looking into the recitals in the title deed of the inam land it is seen that the land is said to have been confirmed on 25-5-1875 for the benefit of the matt as Devadaya and. It is alleged by the counter petitioners that this land belonged to another matt presided by one Totadappa Devaru who transferred the management of the matt and the inam land to Chennaveera-devaru of the Matt now in dispute for management in 1849. If that was

to Chennaveeradevaru would
made clear the fact of the existence of 2
mathas
~~mutts~~ over one of which he presided
and over the other, for which the Inam
is alleged to have been sanctioned,
he had only the power of management
and was bound to have a separate mari
for it But in the statement given
by him and Shanbhogue Nanasiah on
15-3-75 during the Inam enquiry (vide
certified copy in the record) no such
mention of the existence of 2 mutts
is made. On the other hand Col 2
clearly indicates that the Mutt belonged
to Chennaveeradevaru and he was
in enjoyment of the inam land not
as Agent for another but in his own
right. This is further supported by
the recitals in the will of Chenna-
veeradevaru Exhibit D 37. In that will
no mention is made of the transfer
of management of any Dod Mutt
at Analapet whose inam the Kyata-
mara~~p~~halli land is alleged to be
but schedule makes mention of
the Kyatamaranahalli - inam land
as having been transferred to the
Mari named Basalinga Mari and
the will directs him to protect the

counterpetitioner and his mother of the
allegation of the counterpetitioners that
there exist 2 mutts of the same name one
at Kalakat and the other in Akkipet, that
the inam land was given to the Kalakat
mutt and that the Akkipet mutt did
not enjoy the Inam land were true then
mention of this important fact
would not have been omitted in
conveying the grant to the Akkipet
Mutt by will to the next Mani espe-
cially when land alleged to belong
to another Mutt is also sought to be
transferred by the same instru-
ment. The fact that will of Chenna
-veeradevam purports to convey
the Inam land also as one of the pro-
perties belonging to the mutt to the
next mani conclusively proves
that the inam land was granted
and confirmed by Government
for the maintenance of the mutt
now in dispute. The will lends
support to the recital in the Inam
Settlement that only one Mutt was
thought of in both the documents
and that that Mutt was the Mutt
now in dispute. It is thus clear
that the mutt in dispute for which

and claims of Basellappa
that the same be resumed under the
Mirasi Regulation.

Sd/ P. C. J. D'Souza
Mirasi Commissioner

Copy applied for by M. Basellappa on 9.9.3
Copy ready on 10.9.30
" delivered on
No. of words 1540
Copying fees 2-00
Comparing fees 0-5-4
Total 2-5-4
Copied by S. Jayaramadas
Compared by C. Ramaswamy

Copy
N. Lakshminarayanaswamy
manager.

COURT FEE

TWELVE ANNAS

ONE RUPEE FOUR ANNAS

In the Court of Before the Govt. of Mysore

33

Misc. appeal No. of 1930 — 1931.

Appellant
In Base Lappa

Vs.

Respondents
Venda Sidda Basavaty
Basalingappa Setty

I, In Base Lappa ..the applt. ..abovenamed do hereby nominate constitute and appoint **Mr. C. Sheshachar, B. Sc., LL. B.**, *Advocate of the Chief Court of Mysore*, in the above case and do hereby empower the said advocate to appear for and on .. my ..behalf in the above case, to take all steps which may be necessary on .. my ..behalf arising out of, or, in connection with the above case either during progress or after its decision; to sign and subscribe his name to any document which he may deem proper; to execute any decree or order that may be passed in ... my .favour and to receive out of the Court any refund of money which may be lodged or become payable or receivable on .. my behalf and on receipt thereof to grant receipt or other sufficient discharges for the same, to withdraw, compromise or refer to arbitration the said case; to appoint one or more substitute or substitutes and to act and perform all other matters and things relating thereto or connected therewith; to represent . me..in matters relating to the same and to act as fully and effectually to all intents and purposes as . I might do if personally present and did the same. And .. I ... .do hereby agree to pay all fees costs. charges and expenses which may be incurred and to allow, ratify, and to confirm whatsoever the said Advocate shall lawfully do or cause or procure to be done by virtue of these presents.

Accepted
B Subbanna
29 10 30
C. Sheshachar

Signed before me by the executant who is known to me
C. Sheshachar
Advocate

Advocate for Appellant

No 39 Law one file

Muz 174. 30 - 3

36

5th Nov. 1930

The Muzrai Commissioner in Mysore,
Bangalore.

In continuation of this Office letter No.1009/Muz. 174-30-2 dated 1st Nov. 1930, I am directed to forward herewith the appeal petition of V. Bisettappa and request you to be so good as to forward a report thereon with the entire records connected with Muzrai Appeal No. 33 of ~~27-28~~ 1927-28 on your file directing the resumption under the Muzrai Regulation of Dodda Mutt, Akkipet, Bangalore City and its properties. The petition may kindly be returned with your reply.

I have the honor to be,
Sir,
Your most obedient servant,

VS 5.11.30
for Secretary to Government,
Law Department

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat 33

11009 Dated, Bangalore, 1st November 1928.
~~1923~~ Muz 174-30-2

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir, Management of the Doddamatha of Akkipet, B.Cit

I am directed to state that Mr. N. Basatteppa, Man Merchant, Manavarthepet, Bangalore City, has appealed to Government against your order in Muzrai Appeal No. 33 of 1927-28 on your file and to request you to be so good as to stay execution of your order of resumption pending decision of the petition before Government.

I have the honor to be,
Sir,
Your most obedient servant,

Sd/- P. Mahadevayya,
Secretary to Government,
Law Department.

C.R.G.3.

P.T.O.

Memo No. 1010 Mus dated, Bangalore, the 1st N
174-30-2

Copy of the foregoing is forwarded to Mr. C. Sesha Advocate, Bangalore City, for information.

Section M43

File No. 174 - 30

Serial No. 3

No. 1039.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

To

The M. C.

.....

Date of issue 6/11/30

Signed by.....

Sir,

In continuation of this office letter No 1009/Mez 87 174-30-2 1/11/30, I am directed to forward herewith the appeal petn of N. Basavaraja and request you to call for a report thereon with the entire goods to forward records connected with Mez Appl No 330 of 27-28 on your file

List of enclosures.....

~~rejected application was received~~ in this office on 31/9/30 rejecting the claim of the appellant.

Copied by.....

~~On~~ the ~~N. Basavaraja~~ and directing the resumption under the Mez. Regn Act, for. B.L.A., of Rs 1 and to sell its property. The petn may kindly be returned with your rep. [over

Examined by.....

M Mzl

V.S. 7-11-30 See 10 & 11 Mez. Regn.

38

5th November 1930

6 to

The Superintendent,
Revenue Survey and Settlement in mysore,
Bangalore.

I am directed to request you to be so good as to forward for reference an extract from the Inam Register showing the Inams endowed to Dodda mutt, Akkipet, Bangalo City.

I have the honor to be
Sir,
Your most obedient servant,

VS 5.11.30

for Secretary to Government,
Law Department.

C.R.G.

Section Mng

File No. 174 - 30.

Serial No. 24

No. 1062

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

To

The Inam Regr.

Sir.

Date of issue 6/11/30

Signed by.....

I am directed to request you will be pleased as to forward for retn the enclosed translation of the Inam Regr. showing the Land Inams endowed to Wadamali Akkipet Ramaswamy Iyer also copy of Inam Title issued in respect of those Inam lands Name etc.

4.11.30 for the Regr

[over

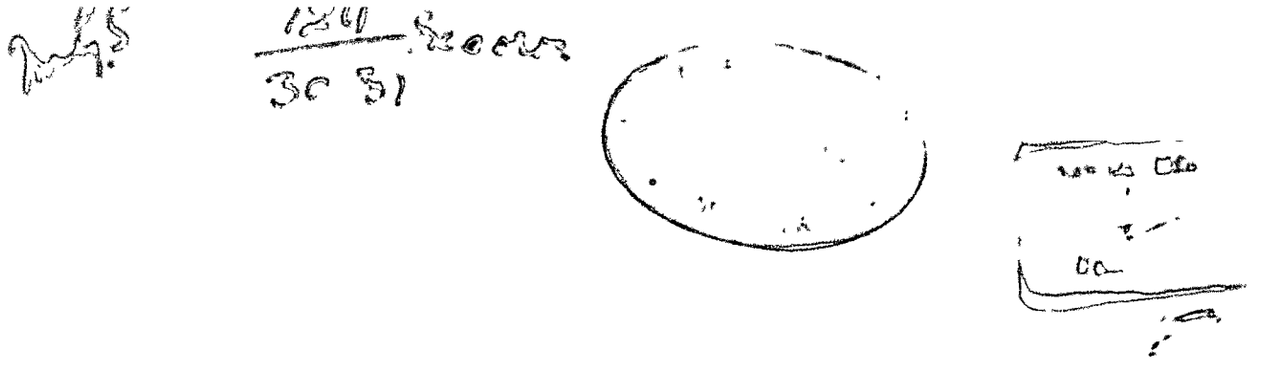
List of enclosures.....

Copied by.....

Examined by.....

A Mstk 7/11/30

WD 02559—GPB—25,000—25 (4-30



42

1702

misc 174-30-7

29th January 31.

The

Financial xxxxxxx

The Superintendent,
Revenue Survey and Settlements.

With reference to your letter No. 63 dated 4th December 1930, I am directed to enquire if the Dodmutt at Akkipet, Bangalore City, has been endowed with any Devadaya Inam land at Kethamaranahalli, Yeswanthpur Hobli, Bangalore and if so to request you to be so good as to furnish an extract of the same from the Inam Register in your Office. If the reply is in the negative, I am to request you to be so good as to state with complete information to which particular mutts the lands at Kethamarnahalli are given. A reply at an early date is requested.

I have the honor to be,
Sir,
Your most obedient servant,
V Subramanyasastri
for Financial Secretary to Government

Mus D. 831

OFFICE OF THE SUPERINTENDENT,
MYSORE REVENUE SURVEY, 71

Mus 174-30-6 Dated Bangalore, 1-12-1930

FROM

D. SRINIVASA IYENGAR, ESQ., B.A.,
Superintendent, Revenue Survey and Settlements in Mysore.

TO

The Secretary to the Government of
H. H. the Maharaja of Mysore,

Law Department, Bangalore.

SIR,

With reference to your letter No.1040/Muz.174-30-34 dated 6-11-1930 requesting me to furnish an extract from the Inam Register showing the Inams endowed to Dodda Mutt, Akkipet, Bangalore City, I have the honor to state that th copy will be supplied on receipt of specific information as to the village in which the lands endowed are situated.

345

I have the honor to be,
Sir,
Your most obedient servant,

For Superintendent.

LSR.

Section S. W

File No. 174-30

Serial No. 7

No. 1702

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

To

The Sapot Rev Survey

& Settlements

Bn.

Date of issue 29/1/31

Signed by V. S. Sastri

With reference to your letter no 63 dated 4.12.30, I am directed to enquire if the Dod mill at Akkipet Bangalore City has been endowed with any Devadays. Inam land at Kethanarayanahalli, Yeswanthpur Hobli, Bangalore and also to request you to be so good as to furnish me with an extract from the Inam Register in your office

[over

List of enclosures.....

Copied by.....

Examined by.....

WD 02559—GPB—25,000—25-6-30

If the reply is in the negative
I am requested to ~~be so good as to state~~ to which particular
mills the lands in Kottamunnah allotted are given — A reply at an early date
is requested.

Thanks &c

28/1/32

28.1.32 See folio
7 of dep.

G.S
27/1

Mysz. Dno 1285

OFFICE OF THE SUPERINTENDENT,
MYSORE REVENUE SURVEY. 141

Dated Bangalore, 2.8.3..... ..193

Mys 174-30-8

D. SRINIVASA IYENGAR, ESQ., B.A.,
Superintendent, Revenue Survey and Settlements in Mysore

To

Rajasevaparayane
D. Srinivasa Iyengar, Esq., B.A., I.L.,
Financial Secretary to the Government of
H. H. the Maharaja of Mysore, Bangalore.

SIR,

With reference to your letter No.1703/Suz.174-30 dated 29th January, 1931 requesting to be furnished with an extract from the Inam register, pertaining to the Doddi at Akkipet, Bangalore City stated to be endowed with Devadaya Inam land at Ketamaranahalli village, Doddabe sam ot, Bangalore taluk, I have the honor to state that there is no entry in the Inam records referring to the kind grant of the land to the Doddabet at Akkipet in particular but that two mutts are entered in the Inam Register of Kethumaranahalli village as mentioned above and forwarded herewith.

I have the honor to be,
Sir,
Your most obedient servant,
J. K. Ramachandra Rao
for Superintendent Revenue
(Assistant Superintendent)

LSR.

'y of Register of Inams in the village of Kethamaranahalli

CLASS, EXTENT AND VALUE OI

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No. and name of field or fields comprised in the grant. Dry, wet or garden	Extent	
			Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Measure in acre and their fractio in decimals
1	2	3	4	5
		As per Jam account of 1831		
5	Devadaya.	Survey No. 123 (part)	k k. p Dry. 0-5-0.	

Old assessment	Survey assessment	Description of Inam	
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7		If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc., or liable to quit-rent, *i. e.*, jodi, etc., amount of latter to be entered
6	7	8	9
As per Jain account of 1831 P. F V = Rs: as: P. 5-0-0. = 14-8-8	/	For the Support of the Goddess Mutt in Arale pet of Bangalore In good order, vide Amildar's return Lr dtd 5 1874	Free

DOCUMENT IN SUPPORT OF THE INAM

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given.
10	11
Granted by H H Maharajah in 1822	One Sannad granting 5 Pagodas of Dry land for the support of the Doddamutt Dated 1822

Bandarawe

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
Totadeppa of Dodda Mutt		Jan account of 1831 Arle pett Totadappa K K P P F V Dry 0-5-0 5-0-0

of the Nandanvg

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the inam has been subdivided, the name, etc., of each sharer should be entered in the columns

Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
Avalepeté in Bangalore Wodda Mutt Manager's problem			

Division

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation.	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20
1. Valid under Rule II. Whole grant. 2. To be confirmed under Rule V. free. (Sd) V. N. Narasimhiengar Assistant 24-3-75 Compared 21/3/75	1. Whole grant. Devadaya. Jain. 2. Confirmed free (Sd) R. A. Gole. Superintendent of Inam 27-5-75. settlements. "Copy" For Superintendent

Register sheet No: 226.

Taluk --- Bangalore.

Hobli. --- Yeswanthapoor.

Village. --- Kelamaranahalli.

Copy of Register of Inams in the village of Kelamaranahalli

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No and name of field or fields comprised in the grant Dry, wet or garden	Extent Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Extent Measure in acres and their fractions in decimals
1	2	3	4	
6	Devadaya	As per Survey No 123 (part)	As per Huzoor Jari of 1831 K K P Dry 0-2-0.	

Sammat of Yeswantapoor in the Taluk of Bangalore

		DESCRIPTION, TENURE AND
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7		
6	7	8
As per Huzoor Jama account 1831. P.F.V Rs: as: p. 2-0-0 = 5-13-1.	/	For the support of the Devasthan Mutt in Arakelale of Bangalore Dan good order: Vide Amils register No: 2.

9

Free

DOCUMENT IN SUPPORT OF

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given
10	11
Granted by H H the Maharajah of Mysore in 1822	One Sannad dated 1822 granting for the support of the Arakepete Devada Mattu Bangalore 2 pags' dry land

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
Aralepete Desada Malli.		Huzoor Jain account 1831 Aralepete Desade Malli K.K.P. P.F.V. Dry. 0-2-0 2-0-0.

OF SUBSEQUENT AND PRESENT HOLDERS

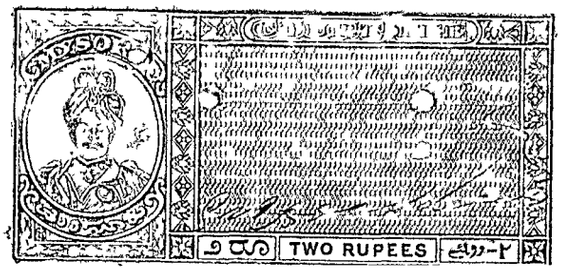
Particulars regarding present owner. If the inam has been subdivided, the name, etc., of each sharer should be entered in the columns

Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with th original holders, posses sion how obtained, and in what year
15	16	17	18
Aralepete of Bangalore			
Desada Malna.	/	/	/
Managers prolem			

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20
Valid under Rule II Whole grant To be confirmed under Rule V free (Sd) V. N Narasimhenger Assistant 13-10-75. Compared 21/2/76	1. Whole grant. Devadaya Jain. 2. Confirmed free (Sd) R A Bole 21-10-75 Superintendent of Inams Sets "Copy" J Kaveriappa (Typist) For Superintendent of Mysore Revenue Survey

GPB—1 000 books of 2 sheets each—9 8 06



N. V. NARASIMHA IYENGAR, B.A., B.L.,
AND
T. R. SREENIVASA IYENGAR, B.A., LL.B
ADVOCATES.

In the Court of Govt. of His Highness
The Maharaja of Mysore.

CASE NO. Appeal 12 OF 1930-31

Basetla Appa	Vs.	Siddaramappa Setty and Others

We Siddaramappa Setty and Party ..... Respondents above named do hereby nominate and appoint Messrs. N. V. Narasimhaiengar, B.A., B.L., and T. R. Srinivasa Iyengar, B.A., LL.B., in the above suit and ..... do hereby empower the said ..... Advocates to appear for and on ..... behalf arising out of or in connection with the above suit either during progress or after its decision, to sign and subscribe their names to any document which they may deem proper, to execute any decree that may be passed on ..... favour and to receive out of the said Court any sum of money which may be lodged or become payable or receivable on ..... behalf and on receipt thereof to grant receipt or other sufficient discharges for the same, to withdraw, compromise or refer to arbitration the said suit to appoint one or more substitute or substitutes and to act and perform all other matters and things relating to or connected therewith, to represent ..... in matters relating to the same and to act in the premises as fully and effectually to all intents and purposes as ..... might do if personally present and did the same. And ..... do hereby agree to pay all fees, costs, charges and expenses which may be incurred and to allow ratify and confirm all and singular whatsoever the said Advocates shall lawfully do or cause or procure to be done in the premises by virtue of these presents.

In witness whereof ..... have hereunto set ..... hand this 16th day of March 1931.

Accepted N. Narasimhaiengar & T. R. Srinivasa Iyengar Advocates for Respts

Signed before me by the executant who ..... known to me.

B S Iyengar, Printer, B.-City

efore the Government of His Highness the Maharaja of Mysore.

Muzrai Appeal No. 12 of 1930-31.

Appellant	Vs.	Respondents.
N. Basettappa, Mandi Merchant residing at Manavarthepet, Bangalore City.		1. Desada Siddabasappa Setty, Kubor Sahuji Lane, Cauvery, Bangalore City. 2. Basavalinga Setty, Arlepet, Bangalore City and others.

S u b j e c t .

Appeal against the orders passed by the Muzrai Commissioner in Appeal No. 33 of 1927-28 dated 8th September 1930 on the file of his Court directing the resumption of Dodmutt at Akkipet, Bangalore City.

This case was heard on 16th May 1931. The appellant was represented by Messrs. B. Subbanna and C. Seshachar and the Respondents by Mr. N.V. Narasimha Iyengar.

O R D E R

(1) The main point for decision in this case is which was the Mutt to which the Devadaya grant of Survey No. 123 in the Ketamaranahalli village was made. The Nirup of 1822 states that the grant was to Thotadappa of Dodda Arlepetta Mutha. The "description of the Inam" and the "name of the original grantee" as given in the Register of Inams are as under:-

Column 8.- For the support of Dodda Mutta in Arlepette of Bangalore.

12.- Thotadappa of Dodda Mutta.

(2) Chennaveeradevaru furnished the particulars for purposes of Inam Settlement in 1875. In column 1 of the statement submitted by him, the grantee of the Inam is noted as Arlepette Mutta Thotadappa. In column 6 Chennaveeradevaru described himself as Vejamanakartha of the Mutta. In column 10 of the statement Chennaveeradevaru promised

Before the Government of His Hig[illegible] Rao the Hon'ble

of Mysore.

Second Appeal No. 12 of 1930-31.

Appellant Vs. Respondents.

Bangalore City.

Bangalore, Mandi Petroleum
Trading at Manavarthepet,

1. [illegible]

2. [illegible]

[illegible] case was [illegible]

Mr. [illegible]

[illegible]

The main point for decision in this [illegible]
ion the Devaraya Chetty. or Income Tax [illegible]
place was made. [illegible]

Income are as under:-

Column 8:- Non-the [illegible]
[illegible]

12:- [illegible]

In column 6 Dharmavaradevaru [illegible]
Ram, the trustee of the [illegible]
Ram settlement in 1879 [illegible]

the Rules. In column 10 of [illegible]

to hold the Inam for the support of the Arlepotta Dodda Mutta and its Sishya and to see that the objects of the grant were fulfilled. The records relating to this Devadaya Inam do not, therefore, establish the contention that the endowment was for the Akkipette Dodda Mutta. The view that the Akkipette Dodda Mutta was known as the Arlepette Dodda Mutta at the time of the original grant and of the Inam Settlement and that its name changed at some subsequent date cannot be accepted as it is not supported by proper evidence.

3) In view of the facts mentioned above, the Inam land in question was clearly a grant to an Institution other than the Akkipette Dodda Mutta and its enjoyment or management by the authorities of the latter Mutta is unauthorised. The Inam land will therefore be - resumed from the Akkipetta Dodda Mutta and treated as a case to be dealt with under C.C. No. 1769-72/Muz.49-28-2 dated 1st March ~~1931~~ 1929

4 Whether any other Mutta is entitled to this land and whether the Akkipetta Mutta which is not a Muzrai Institution in the circumstances stated above, is properly managed, or if it is not, what action it calls for, are separate matters for independent consideration on their own merits.

5) The Muzrai Commissioner's order dated 8th September 1930 is therefore set aside and the appeal allowed.

Memo No. 2589 Muz 174-30-9 dated, Bangalore, the 14th June 1931.

Copy of the above is forwarded to with compliments to the Muzrai Commissioner for information and necessary action. The records received with his letter No. 724 of 1930-31 are returned herewith.

By order,

V Subbarayappa

for Secretary to Government,
S-S Financial Department.

Yours truly,

Before the Government of His Highness the Maharaja of Mysore.

Mg3 Appeal No. 12 of 30-31

Appellant.	Vs.	Respondents
N. Basappa. Mandi Merchant residing at Manavarthepet. Bangalore city.		(1) Veerada Siddaa Basa-Setty - Kuber Saheji Lane - Chickpet Bangalore city (2) Basaalinga Setty Avalepet Bangalore city & others.

Subject.

Appeal against the order passed by H.C in Appeal no. 330 of 27-28 of 8-9-30 on the file of this court directing the resumption of Godown at Akkipet Bangalore city.

This case was heard on 16.5-1931.

The Appellant was represented by Messrs B. Subbanna and C. Seshachar and the Respondents by Mr N. V. Narasimhaiyengar

Order.

Misc 174-30 & 9

Copy of the above is forwarded to M.C

The record received with his letter No 724/30-31 is returned herewith.

Dy 21/1/1931

B.O

2.S.S.

31/1

See top of
1 page

Copy to Messrs B. Subbanna.
2S 90 94 6/31 C. Seshachar } Advs for the Obj

2S 91 94 6/31 N. V. Narasimhiengar - Adv for respondent

2-S

26-S

If not required
so return the
order with the
Govt. multigraphed
and 100 spare copies
obtained for person-
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Sd/- [illegible]

26/S/31